

Applicant(s) : Jarmo Smahl
Serial No. : 10/501,802
Filed : July 20, 2004
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Attorney Docket No.: 46401-014US1
Client Ref. No.: 2011810US

REMARKS

Claims 21-23 and 26-40 are pending in the application, of which claim 21 is independent. No amendments to the application are made herein.

Rejections under 35 U.S.C. §103

The Examiner rejected claims 21-23, 26-29 and 40 as unpatentable over Hallerstrom et al. (US 5,183,299) in view of WIPO publication 2005/052433. In addition, the Examiner rejected claims 21 and 30-39 as unpatentable over Deters et al. (US 5,743,569) in view of WIPO '433 and further in view of Burrows (US 6,220,634).

In the rejection of claim 21, the Examiner states that Hallerstrom discloses all the claimed feature, with the following exception. The Examiner concedes that Hallerstrom does not disclose that the innermost layer of the fitting 13 is made of polyphenyl sulphone, polysulphone, polyvinylidene fluoride, polyketone, or polyether ketone, and cites WIPO '433 as teaching making plastic pipe fitting from the recited materials. In addition, the Examiner states that Deters discloses all the features claimed in claim 21, with the following exception. The Examiner concedes that Deters fails to disclose the exact materials of the innermost and outermost layers of the fitting, and cites WIPO '433 as teaching making plastic pipe fittings of polyphenyl sulphone, polysulphone, polyvinylidene fluoride, polyketone, or polyether ketone, as well as Burrows as teaching making an outermost layer of polyamide. The Examiner considers it obvious to modify the invention of Hallerstrom by the teachings of WIPO '433, and to modify the invention of Deters by the teachings of WIPO '433 and Burrows since the teaching references demonstrate that the practice of making fittings of the claimed materials is common and well known in the art.

The applicant respectfully disagrees with the rejection of claim 21 since WIPO '433 is not prior art to the claimed invention. In particular, the 102(e) date of WIPO '433 corresponds to its international filing date, or November 25, 2004. This date is subsequent to the U.S. filing date of the subject application (July 20, 2004).

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Since the Examiner concedes that making the innermost layer of the fitting of polyphenyl sulphone, polysulphone, polyvinylidene fluoride, polyketone, or polyether ketone is not disclosed by the Hallestrom or Deters references, and has not shown that use of such materials was known in the art at the time the invention was made, the rejections should be withdrawn.

As regards claims 22-23 and 26-40, the applicant respectfully disagrees with the rejection of these claims for the reasons stated above with respect to claim 21, from which claims 22-23 and 26-40 depend.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

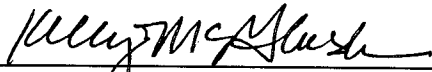
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No fees are believed to be due at this time. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 46401-014US1.

Respectfully submitted,

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